

June 25, 2007

James A. Demaree  
1142 South Arbogast Road  
Griffith, IN 46319

*Re: Formal Complaint 07-FC-142; Alleged Violation of the Access to Public Records Act by the Town of Griffith*

Dear Mr. Demaree:

This is in response to your formal complaint alleging that the Town of Griffith (“Town”) violated the Access to Public Records Act by refusing to give you a copy of a certificate of insurance. I find that the records you requested are public records that are required to be disclosed by the Town.

#### BACKGROUND

You allege that you have requested records from the Town deputy clerk-treasurer Michelle Ciucki. You requested a certificate of insurance for Komark, Ltd. or Briggs Tree Service. You allege that the town’s building department admits to having the certificate of insurance for Komark but has refused to give you a copy.

I sent a copy of your complaint to the town, but have received no response.

#### ANALYSIS

Any person may inspect and copy the public records of any public agency, except as provided in section 4 of the Access to Public Records Act. Ind. Code 5-14-3-3(a). There are no exemptions in section 4 of the APRA for the records that you seek. A certificate of insurance would be a disclosable public record. Therefore, the Town’s failure to provide you a copy of the certificate of insurance is a denial of access under the Access to Public Records Act. This denial is actionable under IC 5-14-3-9(e).

## CONCLUSION

For the foregoing reasons, I find that the Town of Griffith violated the Access to Public Records Act by refusing to give you a copy of the certificate of insurance. This denial is actionable under IC 5-14-3-9(e).

Sincerely,

Karen Davis  
Public Access Counselor

cc: Michelle Ciucki